

# **EXHIBIT 16**

# Acting General Counsel at Michigan State Resigns Amid Criticism From Trustees

ALM Media

Updated May 10, 2018



[caption id="attachment\_13039" align="alignleft" width="245"]



*Kristine Zayko. Handout photo.* [/Kristine Zayko, the [acting general counsel](#) at scandal-ridden [Michigan State University](#), has resigned amid criticisms and will return to private practice. University spokeswoman Emily Guerrant confirmed that Zayko resigned on May 4, but remains on the job as she works out a transition schedule. The school has now lost two top legal officers in three months in the aftermath of the Larry Nassar sexual abuse scandal. Zayko was out of the office Thursday and not available for comment. A third MSU in-house lawyer, assistant general counsel Kristine Moore, has also been criticized for her role in handling the scandal, and is a named defendant in some civil suits brought by Nassar victims. Zayko was promoted from deputy general counsel in February when then-GC [Robert Noto](#) announced he was leaving under pressure from the school's board of trustees. Noto was criticized for how he handled the Nassar matter, which exploded into national headlines and massive lawsuits. The acting GC has been dealing with the day-to-day business of the university, which has [hired a number of outside law firms](#) to handle the legal fallout from the sex abuse scandal. In a

Zayko should step down, in part because of the Nassar scandal and in part because she had known of complaints about Nassar's boss, [William Strampel](#), then the dean of MSU's medical school. Strampel has since been removed as dean and charged with four counts, including sexual misconduct. Trustees Dianne Byrum and Brian Mosallam told the Free Press Zayko should leave because the lawyer knew about sexual misconduct complaints against both Strampel and Nassar, but that she never brought them to the attention of the board, which she regularly briefed on issues. "The fact that Kristine Zayko was aware of [a] 2014 Nassar investigation and Strampel's history since 2005 and yet never elevated either to the board is very troubling," Mosallam said in the article. "I believe Kristine Zayko should do what is right for MSU and immediately step down as acting general counsel. I have zero confidence in her ability to properly advise this university." Byrum agreed that Zayko should step down. In a statement to the Free Press, Byrum said, "I voted no on the appointment of Kristine Zayko because I lacked confidence in her ability to effectively serve the MSU community and help fix the broken culture at MSU. In light of this troubling new information, she should step down immediately as the interim general counsel." In a statement issued earlier this week to the Free Press, before reports of her resignation surfaced in the media, Zayko defended her actions as a lawyer at MSU. "First and foremost, I am sorry that anyone has been assaulted, abused or harassed on this campus. When I was a student here, too many victims of assault and harassment were afraid to report or seek help. I am grateful to every survivor who has come forward to tell their story. You should continue to push and challenge this university until real culture change occurs," the statement said. It continued, "I have ethically served the university and the office of general counsel for more than 20 years with honesty and respect. As lawyers, the very nature of our work is confidential and we don't have the liberty to discuss details of the legal advice we've given, regardless of whether it has been taken or ignored." Zayko joined MSU's legal department in 1998 as a staff attorney. She worked her way up to assistant, then associate and finally became deputy general counsel in June 2008. An MSU honors graduate, Zayko worked three years as a labor and employment lawyer in Chicago and Lansing, Michigan, before joining the MSU legal team.

 [View Comments](#)